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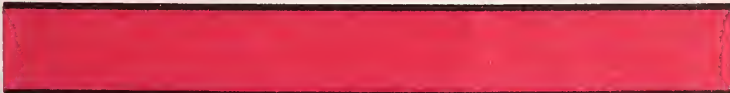
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Massachusetts
Department of Social Services

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Child
COLLECTION
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MASSACHUSETTS
Department of Social Services

Guidelines For Mandated Reporters



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Introduction

As a professional person in contact with children and their families, you have a responsibility to help the Department of Social Services become aware of children who may be abused or neglected. We depend on reports from professionals and other concerned people to learn about children who may need our protection and families who might benefit from our services.

Chapter 119, section 51A of Massachusetts General Laws mandates the Department of Social Services to receive reports of possible abuse or neglect. The Department provides a full range of protective services for children, plus a network of family support services such as counseling, day care, and parent aides.

Chapter 119, section 51A of Massachusetts General Laws also defines your responsibilities as a mandated reporter. All references to Massachusetts law in this pamphlet are citations from Chapter 119, sections 51A-E.

Fifty-five percent of reports received by the Department are from professionals like yourself, mandated reporters; almost 75% of these reports are screened in for investigation. Reports received by the Department during 1990 involved a total of 82,831 children, or approximately one out of every 17 children in the State.





Who is a mandated reporter?

According to the law, the following professionals are mandated reporters:

- *physicians, medical interns, hospital personnel engaged in the examination, care, or treatment of persons*
- *medical examiners, psychologists, emergency medical technicians, dentists, nurses, osteopaths, chiropractors, podiatrists*
- *public or private school teachers, educational administrators, guidance or family counselors*
- *day care/child care workers*
- *probation officers, clerk/magistrate of the district courts*
- *social workers*
- *foster parents*
- *firefighters*
- *police officers*
- *child care resource and referral agencies*
- *child care food programs*

The term also includes any person in charge of a medical or other private or public institution, school or other public facility or his/her designee who has been notified by a member of his/her staff of a case of suspected abuse or neglect. In such cases the person in charge, and not the staff member, is required to report.





As a mandated reporter, what are my responsibilities?

Massachusetts law requires mandated reporters to immediately make an oral report to the Department of Social Services when, in their professional capacity, they have reasonable cause to believe that a child under the age of 18 years is suffering serious physical or emotional injury as a result of abuse or neglect by a caretaker, including sexual abuse, or from neglect, including malnutrition, or who is determined to be physically dependent upon an addictive drug at birth. A written report must then be completed within 48 hours of making the oral report and should be made to the appropriate Department Area Office. Please note, any mandated reporter who fails to make a required report can be punished by a fine of up to \$1,000.

During the course of a 51A investigation, any person who is a mandated reporter, and who has information which he believes might aid the Department in determining whether a reported child has been abused or neglected, upon request by the Department, shall disclose the relevant information to the Department. The person who discloses the information would not be liable in any civil or criminal action and is protected against any discriminatory or retaliatory actions by an employer.

Who is a caretaker?

A “caretaker” includes a child’s parent, step-parent, guardian, any other household member entrusted with the responsibility for a child’s health or welfare, and any other person entrusted with the responsibility for a child’s health or welfare, whether in the child’s home, a relative’s home, a school setting, a day care setting including babysitting, a foster home, a group care facility, or any other comparable residential setting.





How do I make a report?

In order to make a report, telephone the Department of Social Services area office serving the child's hometown and ask for the protective screening unit. A directory of the area offices is included in this brochure.

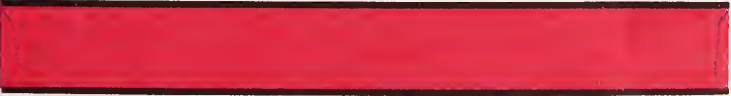
Describe the situation of possible abuse or neglect to the social worker. Please be prepared to give the social worker identifying information about the family as well as specific facts about the suspected abuse or neglect. If you are a mandated reporter, you must also give your name, address and telephone number.

We recommend that you inform the family that you have referred them to the Department of Social Services for help—but do not do so if you think it would increase the risk to the child.

A mandated reporter is required by law to file a written report with the Department of Social Services within 48 hours of making the oral report. The Department of Social Services area office will provide the form for this report.

The Department of Social Services will notify the mandated reporter, in writing, of its determination as to the nature, extent, cause or causes of the injuries to the child and the social services that the Department intends to provide to the child or the family.

If you have any questions about whether or not to report a situation, please do not hesitate to make an inquiry to the appropriate area office.





How are abuse and neglect defined by law?

According to Massachusetts law and Department of Social Services regulations (110 CMR, section 400):

Abuse includes

- *the non-accidental commission of any act by a caretaker which causes or creates a substantial risk of harm or threat of harm to a child's well-being; and*
- *the commission of a sex offense against a child as defined by the criminal laws of the Commonwealth.*

Neglect includes

- *failure by caretaker, either deliberately or through negligence, to take actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision or other essential care; and*
- *physical dependence of a child upon an addictive drug at birth.*

Serious physical injury includes

- *any non-trivial injury, death, malnutrition, and failure to thrive.*

Serious emotional injury

- *means an extreme emotional condition such as a severe state of anxiety, depression or withdrawal.*
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What happens when I make a report of abuse or neglect?

If the social worker who takes your report determines that there may be reasonable cause to believe that a child is abused or neglected according to the above definition, a social worker is assigned to investigate the report. The investigation includes a home visit during which the social worker meets and talks with the child and the caretaker. If the intake social worker has determined that the situation is an emergency, the investigation is completed within 24 hours of receipt of the report; all other reports are investigated within ten days.

If the investigating social worker determines there is reasonable cause to believe that the child in question is abused or neglected, the Department provides the family with services to reduce the risk of harm to the child. If the child is not abused or neglected but the family appears to be in need of services, the social worker may offer the family services on a voluntary basis. It is important to note that if the Department determines that a child has been sexually abused, sustained serious injury or has died as a result of abuse or neglect, the Department must notify the District Attorney who has the authority to file criminal charges, and the police chief in the town the child resides.





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Department of Social Services Area Office Directory

West

Pittsfield	(413) 499-7370
Greenfield/Northampton	(413) 774-5546
Holyoke/Westfield	(413) 536-4762
Springfield	(413) 781-0881
Fitchburg/Gardner	(508) 345-2101
South Central/Blackstone Valley	(508) 949-0113
Worcester	(508) 791-1200

Northeast

Lowell	(508) 452-8970
Lawrence	(508) 685-8384
Haverhill/Cape Ann	(508) 373-3913
Lynn	(617) 596-0200
Tri-City/Eastern Middlesex	(617) 321-0130
Framingham/Marlborough	(508) 872-8122
Cambridge/Somerville	(617) 577-7200
Waltham	(617) 894-8770

Southeast

Quincy/Weymouth	(617) 773-8920
Attleboro/Taunton	(508) 226-4553
Brockton	(508) 584-0980
Fall River	(508) 675-1145
New Bedford	(508) 997-3361
Cape & Islands/Plymouth	(508) 394-1325

Boston/Brookline

Morton Street	(617) 524-5474
Dimock Street/Allston	(617) 783-1640
Solomon Carter Fuller	(617) 266-9298
Fields Corner	(617) 288-0300
E.Boston/Charlestown/Chelsea	(617) 889-3820

The Department also has a Consumer Action Office available during normal working hours to assist you. Please call 1-800-632-8218.



What happens after 5:00 p.m. and on weekends?

The Department of Social Services provides a 24-hour child abuse and neglect hotline. To make a report of possible abuse or neglect after 5:00 p.m. and on weekends, please call the **Child-At-Risk Hotline at 1-800-792-5200**. To make a report from 9 a.m. to 5 p.m. on weekdays, please call the appropriate Department of Social Services office, see the directory.

Where can I obtain more information about child abuse and neglect?

You can obtain more information about child abuse and neglect by calling the Massachusetts Department of Social Services' Public Affairs Office at (617) 727-0900 ext. 221 to request the *Don't Shut Your Eyes to Child Abuse Information Packet*.

1•800•792•5200

the child at risk HOTLINE

**DON'T SHUT
YOUR EYES
TO CHILD ABUSE**

Please



**IF YOU SEE IT
REPORT IT**

Massachusetts Department of Social Services

1•800•792•5200

the child at risk HOTLINE

